

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 08-CR-342

JUAN ALBERTO TORRES-MENDOZA,
a/k/a OSCAR ARANDA-TORRES,
a/k/a CARLOS M. TORRES,
a/k/a CARLOS TORRES-MENDOZA,

Defendant.

ORDER ADOPTING MAGISTRATE JUDGE'S RECOMMENDATION

Defendant Juan Alberto Torres-Mendoza has been charged by Indictment with Illegal Re-entry After Deportation in violation of 8 U.S.C. §§ 1326(a)(2) and (b)(2). The Defendant filed a motion to suppress the custodial statement he gave to Michael Crabb, an agent with the Department of Immigration Customs Enforcement (“ICE”), on the ground that he did not voluntarily waive his Miranda rights. *See Miranda v. Arizona*, 384 U.S. 436 (1966). Following an evidentiary hearing, Magistrate Judge Patricia J. Gorence filed a recommendation that the motion to suppress the statement be granted. The time for filing objections has passed and the Government has not filed an objection. For that reason, and based upon the Court’s own review of the transcript, the motion to suppress will be granted for the reasons set forth in the Magistrate Judge’s recommendation, which is hereby incorporated herein.

SO ORDERED this 26th day of March, 2009.

s/ William C. Griesbach

William C. Griesbach

United States District Judge